



Entered on Docket
June 03, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Rob Charles (NV 6593)
John Hinderaker (AZ 018024)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (520) 629-4427
Facsimile (520) 879-4705
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,²

USA SECURITIES, LLC,³

Debtors.

Case No. BK-S-06-10725-LBR¹
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR²
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**ORDER APPROVING STIPULATION RE
ALBERT LEE, ET AL. PROOF OF
CLAIM NO. 10725-00097**

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

1 The Court having considered the "Stipulation Re Proof Of Claim No 10725-00097"
2 [Docket No. 7165] (the "Stipulation") and good cause appearing:

3 **IT IS ORDERED:**

- 4 1. The Stipulation is approved;
5 2. Proof of Claim No. 10725-00097 is allowed as a general unsecured claim in
6 the amount of \$1 million and the balance of the claim is disallowed; and
7 3. All other claims filed by the Lee Claimants (Albert Lee, Linda Lee, Steve
8 Miller, John Nash, Maurey Nash, Jin-Shih Lee, Lian-Pin Lee, Gary Potts, Eva Potts, Scott
9 Mollahan, Valerie Mollahan, Jeff Guitterez, Katie Guitterez, Michael Cichon, Marilee
10 Cichon and Christine Westland), if any, are disallowed in their entirety.

11 # # #

12 PREPARED AND RESPECTFULLY SUBMITTED BY:

13 **LEWIS AND ROCA LLP**

14 By /s/ John Hinderaker (018024)
15 Rob Charles
16 John Hinderaker (Pro hac vice)
17 3993 Howard Hughes Parkway, Ste. 600
18 Las Vegas, Nevada 89169-5996
19 Telephone: (520) 629-4427
20 Facsimile: (520) 879-4705

21 *Attorneys for USACM Liquidating Trust*

22 **APPROVED AS TO FORM AND CONTENT:**

23 **TERRA LAW LLP**

24 By /s/ Breck E. Milde
25 Breck E. Milde
26 177 Park Avenue, Third Floor
27 San Jose, CA 95113
28 Telephone: (408) 299-1200
29 Facsimile: (408) 998-4895

30 *Attorneys for Albert Lee, et al, Claimants*